FINAL ENVIRONMENTAL ASSESSMENT

August 7, 2025

Waste Management and Remediation Division
Montana Department of Environmental Quality

PROJECT NAME: Asbestos Control Program's Programmatic Environmental Assessment
APPLICANT: Montana Department of Environmental Quality

Table of Contents

1. PURPOSE AND NEED FOR PROPOSED ACTION

1.1 AUTHORIZING ACTION

Under the Montana Environmental Policy Act (MEPA), Montana agencies are required to prepare an environmental review for state actions that may have an impact on the human environment. The Proposed Action is considered a state action that may impact the human environment; therefore, the Department of Environmental Quality (DEQ) must prepare an environmental review. This Environmental Assessment (EA) will serve as a Programmatic EA for the Asbestos Control Program (ACP), will examine the proposed action and alternatives to the proposed action, and disclose potential impacts that may result from the proposed and alternative actions. A Programmatic EA is an analysis of the impacts on the quality of the human environment of related actions, programs, or policies (ARM 17.4.603 (15)). A Programmatic EA provides MEPA coverage for a proposed action that can occur across the state of Montana. DEQ will determine the need for additional environmental review based on consideration of the criteria set forth in the Administrative Rules of Montana (ARM) 17.4.608.

1.2 DESCRIPTION OF DEQ REGULATORY OVERSIGHT

DEQ implements the Asbestos Control Act (Title 75, Chapter 2, Part 5, Montana Code Annotated (MCA)), under which DEQ oversees the permitting of asbestos projects at facilities and the transport and disposal of asbestos-containing wastes. The U.S. Environmental Protection Agency (EPA) has delegated authority to DEQ to implement federal requirements pertaining to National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos, 40 Code of Federal Regulations (CFR) Part 61, Subparts A and M. DEQ has incorporated by reference the requirements of 40 CFR 61, Subparts A and M, into administrative rule at ARM 17.74.351.

1.3 PROPOSED ACTION

DEQ's proposed action is to issue Asbestos Project Permits for asbestos projects at facilities and for the transport and disposal of asbestos-containing wastes. Facility is defined as "institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function" (40 CFR 61.141). "Asbestos project means the encapsulation, enclosure, removal, repair, renovation, placement in new construction, demolition of asbestos in a building or other structure, or the transport of disposal of asbestos-containing waste, in quantities greater than 10 square feet in surface area or 3 linear feet of pipe" (MCA 75-2-502(3)).

All individuals working on asbestos projects must be properly trained by successfully completing courses from a Montana approved training provider and being currently accredited with DEQ (ARM 17.74.362). An asbestos contractor/supervisor must be physically present at all times work is being conducted for an asbestos project and is responsible for ensuring the asbestos project complies with the Asbestos Project Permit (ARM 17.74.356(1)). An asbestos contractor/supervisor is "an individual with the requisite training and credentials to supervise an asbestos project and the personnel conducting an asbestos project" (ARM 17.74.352(6)).

Transport and disposal of asbestos-containing wastes from an asbestos project must be permitted by an Asbestos Project Permit and deposited at a licensed Class II or Class IV landfill (ARM 17.74.369).

Asbestos Project Permits include Annual Asbestos Project Permits, which authorizes a facility to conduct asbestos projects within the confines of the facility's controlled area during the year for which the permit is in force (ARM 17.74.359(1)).

DEQ may issue revisions for Asbestos Project Permits if there is a change in the operator/owner, contractor, transporter, disposal facility, amount of regulated asbestos-containing material (RACM) being disturbed by at least 20%, scope of work, or start or completion date (ARM 17.74.355(7)). DEQ may issue Asbestos Project Permits for emergency renovation operations, meaning a renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to promote equipment from damage, or is necessary to avoid imposing an unreasonable financial burden (40 CFR 61.141 as incorporated by ARM 17.74.351). DEQ may also approve alternate work practices (AWPs), which means proposed alternative control measures, methods for clearing asbestos projects, or work methods other than those specified in ARM 17.74.3 (ARM17.74.353(1)(e)).

For the purposes of this EA, the maximum estimated disturbance will be calculated using Asbestos Unit Measurement (AUM). AUM means each unit of asbestos-containing material (ACM) that may be disturbed or removed, either in square, linear, or cubic feet or any combination thereof (ARM 17.74.352(11)). AUMs are a way to keep track of how much asbestos-containing material is being disturbed or removed during an asbestos project. Since asbestos projects vary widely in size and in some cases can be extremely large projects, this EA has set the maximum disturbance to 250,000 AUMs. An example of a large asbestos project would be if a large structure burned down, and all the material was treated as RACM.

Table 1: Summary of Proposed Action

Proposed Action	
General Overview	This EA is for DEQ to issue Asbestos Project Permits. Actions under this include asbestos projects for facility renovation activities, encapsulation, enclosure, removal, repair, renovation, placement in new construction, or demolition of asbestos in quantities greater than 10 square feet in surface area or 3 linear feet of pipe. Asbestos Project Permits include Annual Asbestos Project Permits, which authorizes a facility to conduct asbestos projects within the confines of the facility's controlled area during the year for which the permit is in force, and the transport and disposal of asbestos-containing waste at a licensed Class II or Class IV landfill facility. All permitted activities will take place within the state of Montana.
Duration & Hours of Operation	Individuals with an issued Asbestos Project Permit may perform the permitted action at the specified site between the permit's effective and expiration dates. The Asbestos Project Permit does not specify hours of operation. Asbestos-containing waste must be transported and disposed of within the Asbestos Project Permit's effective and expiration date. The ARM does not specify how long an Asbestos Project Permit may be active, but DEQ's policy has been to keep the permit effective and expiration dates within one year.
Estimated Disturbance	An AUM is each unit of ACM that may be disturbed either in square, linear, or cubic feet or any combination thereof (ARM 17.74.352(11)). Asbestos projects may range from 10 to over 100,000 AUMs. An example of a large asbestos project would be if a large structure were to burn down, and all the material was treated as RACM. Transport and disposal of asbestos-containing wastes will have minimal disturbances. There may be an increase in traffic around the asbestos project site during the permit's effective date. Disposal of asbestos-containing waste requires ACM to be buried within 24 hours of arriving at an approved landfill facility (40 CFR 61.154(c) as incorporated by ARM 17.74.351). DEQ's regulatory oversight for asbestos-containing waste under the Asbestos Control Act ends when it is accepted by the landfill facility (ARM 17.74.369(3)(b)(vii)).
Equipment	Equipment such as generators, roll-off containers, hand tools, and trucks may be needed for asbestos projects. For transport and disposal, equipment may consist of roll-off containers and trucks used for hauling.
Personnel Onsite	For asbestos projects, at least one asbestos contractor/supervisor must be on-site during the asbestos project. An estimated two to ten asbestos workers and/or asbestos contractors/supervisors may be on-site at a time. Transport and disposal of asbestos-containing waste generated at a facility requires a Montana-accredited asbestos worker, or asbestos contractor/supervisor, or personnel escorted and supervised by a person who

	is accredited as an asbestos worker or asbestos contractor/supervisor.
Location and Analysis Area	All facilities located within Montana (excluding Tribal Lands) are required to have an Asbestos Project Permit if they are conducting asbestos projects. The location of the facility must be identified on all asbestos permit applications. Asbestos projects may only be conducted at the specified site on the respective permit. All future sites are considered as part of this environmental review.
The applicant is required to comply with all applicable local, county, state, and federal requirements pertaining to the following resource areas.	
Air Quality	The Occupational Safety and Health Administration (OSHA) 1926.1101 standard must be followed when setting up and performing work in a containment area to remove ACM. DEQ regulates the clearing of asbestos projects through final visual inspection and air clearance sampling in the work areas. The concentration of asbestos fibers in air clearance samples collected must be less than or equal to 0.01 fibers per cubic centimeter of air for each of the five samples collected within the work area if analyzed by Phase Contrast Microscopy (PCM). The PCM analysis must be conducted using the NIOSH 7400 or NIOSH 7402 method. The concentration of asbestos fibers in air clearance samples collected must be less than or equal to the average concentration of 70 structures per square millimeter for five samples collected within the work area if analyzed by transmission electron microscopy (TEM). The TEM analysis must be conducted using EPA's interim TEM analytical methods provided in 40 CFR 763, Subpart E, Appendix A.
Water Quality	Water is used during asbestos projects to suppress fiber release and reduce the potential for contamination. Water used to control asbestos emissions must follow all applicable regulations, including proper disposal. Water used to clean personnel or equipment during asbestos projects should be filtered or deposited as asbestos-containing waste (29 CFR 1926.1101 Appendix F).
Solid Waste	The contractor should contact the selected landfill on their Asbestos Project Permit application prior to dropping off any asbestos-containing waste. They should comply with the requirements of the landfill and provide any necessary documents requested by the landfill. The landfill must cover the asbestos-containing waste within 24 hours of receiving it by at least six inches of non-asbestos-containing waste or by a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion (40 CFR 61.154(c) as incorporated by ARM 17.74.351).

Cumulative Impact Considerations	
Past Actions – any previous actions given in the application. Past actions can range from commercial/industrial use to agricultural use, to remediation for tank cleanup or superfund actions.	DEQ staff carefully reviews the application for potential cumulative impacts and no past cumulative effects have been found.
Present Actions – any action that has been both applied for and approved, whether construction has started or not	If the Asbestos Project Permit is approved, an asbestos project would be conducted at the facility.
Related Future Actions – any action that has been applied for but not yet approved, and therefore has not begun.	No related future actions are known that may contribute to cumulative impacts.

1.4 PURPOSE, NEED, AND BENEFITS

DEQ's purpose in conducting this environmental review is to act upon DEQ's mandated duties to issue Asbestos Project Permits for asbestos projects and the transport and disposal of asbestos-containing waste. DEQ's action on the permit application is governed by § 75-2-503, *et seq*., MCA and the ARM 17.74.355, *et seq*.

1.5 OTHER GOVERNMENTAL AGENCIES AND PROGRAMS WITH JURISDICTION:

The proposed project would be located on private and public land. All applicable local, state, and federal rules must be adhered to, which may also include other local, state, federal, or tribal agency jurisdictions. Other governmental agencies which may have overlapped or additional jurisdiction include but may not be limited to, the local City where the facility is located, the local County Commission or local County Planning Department (zoning), OSHA (worker safety), DEQ Air Quality Bureau (air quality), Water Protection Bureau (groundwater and surface water discharge; stormwater), Montana Department of Natural Resources and Conservation (water rights), State Historic Preservation Office (SHPO), Montana Department of Transportation and local County (road access), and U.S. Environmental Protection Agency (EPA).

2. AFFECTED ENVIRONMENT AND IMPACT BY RESOURCE

2.1 EVALUATION AND SUMMARY OF POTENTIAL IMPACTS

The impact analysis will identify and evaluate direct and secondary impacts on the physical environment and human population in the area to be affected by the proposed project. *Direct impacts* occur at the same time and place as the action that causes the impact. *Secondary impacts* are further impacts on the human environment that may be stimulated, induced by, or otherwise result from a direct impact of the action (ARM 17.4.603(18)). Where impacts would occur, the impacts will be described in this analysis.

Cumulative impacts are the collective impacts on the human environment within the borders of Montana of the Proposed Action when considered in conjunction with other past and present actions related to the Proposed Action by location and generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures.

The duration is quantified as follows:

- **Short-term Impacts (short-term):** These are impacts to the environment during the active asbestos project period.

- **Long-term Impacts (long-term)**: These are impacts to the environment that may occur or remain beyond the asbestos project period.

The intensity of the impacts is measured using the following:

- **No impact**: There would be no change from current conditions.

- **Negligible**: An adverse or beneficial effect would occur but would be at the lowest levels of detection.

- **Minor**: The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.

- **Moderate**: The effect would be easily identifiable and would change the function or integrity of the resource.

- **Major**: The effect would alter the resource.

a. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE

Asbestos project sites will vary across the state. A majority of permitted activities take place inside an existing structure and do not have significant impacts on geology and soil quality.

Direct Impacts

The majority of permitted asbestos projects occur inside an existing structure and would not impact geology or soil quality. Asbestos projects where the ground is disturbed due to the digging of soils, such as abatement of asbestos in underground pipes, would have minimal localized impacts on geology and soil. DEQ's issued Asbestos Project Permits do not cover any new installations, and none of the planned disturbances at the sites are considered first-time disturbances. There may be negligible impacts to the geology and soil quality during asbestos projects for projects outside of an existing structure.

Transport and disposal of asbestos-containing waste may involve trucks that have to drive on the soil to access other areas of the site. Roll-off containers that take asbestos-containing waste may be placed on unpaved areas around the site for better access, which may cause negligible impacts on soil quality.

Secondary Impacts

No secondary impacts to geology and soil quality would be expected because all asbestos projects would occur for existing facilities and would not be first-time disturbances. Equipment, such as roll-off containers, would be removed from a site at the end of an asbestos project.

Cumulative Impacts

No significant cumulative impacts on geology and soil quality should be expected, especially since the majority of asbestos projects occur inside an existing structure. An asbestos project that involves an entire building's removal may help facilitate site reuse.

b. WATER QUALITY, QUANTITY, AND DISTRIBUTION

A majority of permitted asbestos projects take place inside existing structures. Out of the permitted activities, asbestos projects for large structures may have an impact to surface or groundwater resources.

Direct Impacts

Water is used as an engineering control to reduce fiber release during asbestos projects and for the cleaning of personnel and equipment. This water should be contained and managed on-site through filtration or disposed of as asbestos-containing waste (29 CFR 1926.1101 Appendix F). Most permitted asbestos projects occur inside an existing structure within a polyvinyl containment, with asbestos-containing waste being loaded and sealed into polyvinyl bags within the containment and the sealed bags loaded directly into a lined roll-off container or trailer. Due to these practices, no difference in water quality should occur for surface water or groundwater; therefore, no direct impacts should be expected from asbestos projects.

Transport and disposal of asbestos-containing waste should have no impact on water quality.

Secondary Impact
No secondary impacts to water quality should be expected.

Cumulative Impacts
Inhalation and ingestion of asbestos fibers may lead to serious health risks; therefore, the removal of asbestos from facilities may have a minor positive impact to public communities and the environment.

c. AIR QUALITY

OSHA standards set forth in 29 CFR 1926.1101 must be followed when setting up and performing work in a regulated area to remove ACM. These requirements are not regulated by DEQ. DEQ regulates the clearing of asbestos projects through final visual inspection and air clearance sampling in the works areas.

The concentration of asbestos fibers in air clearance samples collected must be less than or equal to 0.01 fibers per cubic centimeter of air for each of the five samples collected within the work area, if analyzed by Phase Contrast Microscopy (PCM). The PCM analysis must be conducted using the NIOSH 7400 or NIOSH 7402 method (ARM 17.74.357(2)(a)).

The concentration of asbestos fibers in air clearance samples collected must be less than or equal to the average concentration of 70 structures per square millimeter for five samples collected within the work area, if analyzed by transmission electron microscopy (TEM). The TEM analysis must be conducted using EPA's interim TEM analytical methods provided in 40 CFR 763, subpart E, appendix A (ARM 17.74.357(2)(b)).

Direct Impacts
Asbestos projects may include abating ACM following the standards set forth in 29 CFR 1926.1101. Depending on the class of asbestos work the asbestos project may fall under, a regulated area may have to be established. A regulated area entails an area established by the owner/operator that is demarcated where any disturbance of asbestos occurs, and any adjoining area where debris and waste from such asbestos work may accumulate. A decontamination area is connected to the regulated area and consists of an equipment room (contaminated room that is supplied with impermeable bags or containers for disposal of contaminated personal protective equipment (PPE)), shower area, and a clean room (uncontaminated room used as storage for street clothes and uncontaminated equipment). A competent person (CFR 1926.1101(b)) must oversee all asbestos work within a regulated area. Engineering controls such as vacuum cleaners equipped with High Efficiency Particulate Air (HEPA) filters, wet methods, leak-tight containers, and proper ventilation in the negative pressure enclosure must be adhered to until the regulated area is cleared for reoccupation.

At the conclusion of any asbestos project, the owner/operator must ensure that final visual inspection and air clearance sampling are conducted in all asbestos project work areas prior to expiration of the Asbestos Project Permit (ARM 17.74.357(1)). Due to the asbestos standards set forth in OSHA and the specific criteria to clear an asbestos project in ARM, direct impacts to air quality should be negligible.

DEQ requires accredited asbestos workers or asbestos contract/supervisors to transport or escort and supervise persons transporting asbestos-containing waste (ARM 17.74.369(1)). Prior to transportation of the asbestos-containing waste, it must be adequately wet, properly packaged in leak-tight containers or wrappings, and labeled with the name of the waste generator and location at which the waste was generated. The asbestos-containing waste must be deposited at a licensed Class II or Class IV landfill facility as soon as practical or stored in a secure holding facility or location accessible only to asbestos workers or asbestos contractor/supervisors accredited by DEQ. An asbestos worker or asbestos contractor/supervisor retains responsibility for the asbestos-containing waste until the waste is accepted by a licensed Class II or Class IV landfill (ARM 17.74.369(3)(b)). Transport and disposal activities would have negligible direct impacts on air quality because of the controls that should ensure little-to-no asbestos emissions.

Secondary Impacts

During asbestos projects, it is required that ACM is kept adequately wet for dust suppression, negative pressure enclosures are set up and used for regulated asbestos work, and to have properly accredited individuals on site during the respective activities. In the event of unexpected ACM becoming RACM, DEQ must be notified and then clean-up efforts would be established using methods such as HEPA vacuums and adequately wetting the material before bagging it and disposing of it as asbestos-containing waste at a Class II or IV landfill facility. Due to the engineering controls used as industry standard practices, secondary impacts would be negligible.

Cumulative Impacts

No negative cumulative impacts are expected on air quality. The removal, encapsulation, or enclosure of RACM eliminates the possibility of exposure and, therefore, should positively impact public health.

d. VEGETATION COVER, QUANTITY AND QUALITY

The Montana Natural Heritage Program compiles an on-line report to classify plant Species of Concern and Potential Concern in the state, employing a standardized ranking system to denote global (range-wide) and state status. Species are assigned numeric ranks ranging from 1 (highest risk, greatest concern) to 5 (demonstrably secure), reflecting the relative degree of risk to the species' viability, based upon available information. Species of Concern are native taxa that are at-risk due to declining population trends, threats to their habitats, restricted distribution, and/or other factors. Designation as a Montana Species of Concern or Potential Species of Concern is based on the Montana Status Rank and is not a statutory or regulatory classification.

Asbestos project sites will vary across the state. Asbestos projects are localized to sites that are not first-time disturbances and are part of the built human environment. Asbestos-containing waste is transported on established roads, and disposal occurs at approved landfill facilities. Due to these factors, no natural vegetative communities should be impacted.

Direct Impacts

Permitted asbestos projects primarily occur inside the facility and do not impact natural vegetation. For projects with exterior abatement, all impacted material must be picked up and

properly disposed of. Additionally, any vegetation around facility buildings would have been installed after the buildings' construction. However, this vegetation would not be expected to be a species of concern as defined by the Montana Natural Heritage Program. Since the sites are not first-time disturbances, direct impacts to vegetation would be negligible.

Secondary Impacts
All impacts to vegetation would be limited to asbestos project sites. Since all sites are not first-time disturbances, no secondary impacts are to be expected.

Cumulative Impacts
No cumulative impacts are to be expected to vegetation.

e. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS

Montana Animal Species of Concern are native Montana animals that are considered to be "at risk" due to declining population trends, threats to their habitats, and/or restricted distribution and are reported jointly between the Montana Natural Heritage Program and Montana Department of Fish, Wildlife, and Parks (MFWP). Species of Concern are native living organisms that are at risk due to declining population trends, threats to their habitats, restricted distribution, and/or other factors. Designation as a Montana Species of Concern or Potential Species of Concern is based on the Montana Status Rank and is not a statutory or regulatory classification.

Asbestos project sites will vary across the state. Asbestos projects are localized to sites that are not first-time disturbances and are part of the built human environment. Transport of asbestos-containing waste occurs on established roads, and disposal occurs at approved landfill facilities. The proposed action does not cover any new construction.

Direct Impacts
A majority of asbestos projects occur inside an existing structure. For asbestos projects that occur on the exterior of the structure, there may be a potential to disturb local bird nests and/or other animals in urbanized areas commonly found using components of the structure as shelter. DEQ must check the MTNHP on a case-by-case basis during permit application evaluations. No population-wide effects would be expected. Due to the sites already being developed and not in their natural state, direct impacts on terrestrial, avian, and aquatic life and habitats are expected to be negligible.

Transport and disposal should have no direct impact on terrestrial, avian, and aquatic life and habitats.

Secondary Impacts
No secondary impacts to terrestrial, avian, and aquatic life and habitats stimulated or induced by the direct impacts analyzed above would be expected. Industry-standard best management practices during asbestos projects would reduce the likelihood of any contamination of the environment. These practices reduce the likelihood of any potential impacts on fauna and their habitat.

Cumulative Impacts

Asbestos fibers are likely carcinogenic to animals (Harbison & Godleski, 1983); therefore, a positive impact would come from removing asbestos from structures to reduce the likelihood of fiber release. No negative cumulative impacts to terrestrial, avian, and aquatic life and habitats stimulated or induced by the direct impacts analyzed above would be expected.

f. HISTORY, CULTURE AND ARCHEOLOGICAL UNIQUENESS

The Montana Cultural Resource Database under the State Historic Preservation Office (SHPO) indicates where there are both inventoried and historical sites present within the greater Montana state area.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are within the area of potential effect and are over fifty years old, SHPO recommends that they be recorded and that their eligibility be determined prior to any disturbance taking place. As long as there is no disturbance or alteration to structures over fifty years of age, SHPO determined that there is a low likelihood that cultural properties would be impacted.

Asbestos project sites will vary across the state with facilities widely ranging in age.

Direct Impacts

Asbestos projects may occur at sites older than fifty years old. On the Asbestos Project Permit application, applicants must list the age of the building. Due to the possible extent of asbestos projects, there is potentially a minor direct impact on historic structures for the permitted activities. The project proponent would be responsible for fulfilling the requirements of SHPO for historical or cultural sites. The removal of asbestos material from historical sites would have a beneficial impact on the human environment and could allow for the redevelopment and use of these sites.

Transport and disposal would not directly impact any historical, archaeological, or paleontological resources because the permitted activities only cover transporting and disposing of asbestos-containing waste to Class II or Class IV landfills.

Secondary Impacts

No secondary impacts on historical and archaeological sites are expected from asbestos projects and transport and disposal activities.

Cumulative Impacts

No cumulative impacts on historical and archaeological sites are expected from asbestos projects and transport and disposal activities.

g. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY

Asbestos projects may use amended water to suppress dust and fibers during the permitted work. Water is generally brought to sites by a water truck, meaning the water supplied may not be from the area specific to the site. Electricity and fuel may be used to power tools and other equipment while at the permitted site.

Direct Impacts

When RACM is disturbed during asbestos projects, it must be adequately wet to prevent asbestos fibers from becoming airborne. Certain equipment may also need to be powered by electricity or fuel during asbestos projects. These may be powered by electricity from the site or fuel-powered generators. Minor direct impacts to limited environmental resources may occur at the permitted sites.

Transport and disposal would not impact the area's limited environmental resources as the only equipment used would be gas or diesel-powered vehicles for hauling asbestos-containing waste.

Secondary Impacts

No secondary impacts to environmental resources are expected from the permitted activities.

Cumulative Impacts

No cumulative impacts to environmental resources are expected from the permitted activities.

h. HUMAN HEALTH AND SAFETY

The owner/operator of each site is responsible for adhering to all applicable state and federal safety laws. OSHA has developed rules and guidelines to reduce the risks associated with work involving ACM. Members of the public should not have access to asbestos project sites.

Direct Impacts

On sites where asbestos work is occurring, OSHA requires a regulated area to be established with proper signage posted around the area (29 CFR 1926.1101(e)(2)). Individuals entering the regulated area may need to wear respirators and other PPE to protect against asbestos exposure (29 CFR 1926.1101(e)(4)). Therefore, on-site workers should have negligible direct impacts if health and safety requirements are followed.

Transport and disposal require hauling asbestos-containing debris to a landfill that may accept it. Due to vehicles being used to haul loads of asbestos-containing waste, there may be minor direct impacts on human health and safety if a spill occurs.

Secondary Impacts

No secondary impacts to human health and safety are expected due to the proposed action. However, if a release of asbestos fibers occurs and is not properly contained, it could have minor impacts on human health and safety.

Cumulative Impacts

No negative cumulative impacts on human health and safety would be expected. With asbestos

fibers being a known carcinogen, removing RACM from facilities would have a major positive impact on public health. With RACM removed, the threat of unexpected asbestos fiber releases would be diminished.

i. SOCIOECONOMICS

The permitted activities would occur on private and public land. No permanent impacts on the population are expected. All sites would be subject to any plans or rules set forth by the City and County where the facility is located. Plans or rules may include building permits, local traffic plans, and growth plans.

At least one asbestos project contractor/supervisor must be on-site during an asbestos project. An estimated two to ten asbestos workers and/or asbestos contractors/supervisors may be on-site at a time. Asbestos projects may last up to one year.

Transport and disposal of asbestos-containing waste generated at a facility require a Montana-accredited asbestos worker or asbestos contractor/supervisor or personnel escorted and supervised by a person accredited as an asbestos worker or asbestos contractor/supervisor.

Traffic may increase in the vicinity of the site depending on the scale of the asbestos project. Asbestos projects may last up to one year. A minor impact may be possible.

Direct Impacts
If the proposed action is approved, more jobs may be created of approximately two to ten workers for the length of the asbestos project. No impacts on the population are anticipated. During asbestos projects, local traffic may increase depending on the scale of the project. Additional government services may be necessary if a project is not in compliance. Direct impacts would be minor.

Permitted asbestos projects are not anticipated to disrupt native or traditional lifestyles or communities.

Secondary Impacts
No secondary impacts to socioeconomics would be expected.

Cumulative Impacts
Minor cumulative impacts are possible if an asbestos project permit allows continued use or revitalization of a facility. The impacts would have positive socioeconomic impacts to employment.

j. PRIVATE PROPERTY IMPACTS

The proposed project would take place on private and public land owned by the applicant. DEQ's approval of Asbestos Project Permits would affect the applicant's real property. DEQ has determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements under the Asbestos Control Act, and compliance with Asbestos Control Act requirements has been

agreed to by the applicant. Therefore, DEQ's approval of Asbestos Project Permits would not have private property-taking or damaging implications.

K. GREENHOUSE GAS ASSESSMENT

Asbestos projects may range from the minimum trigger levels of 10 ft^2 and 3 linear ft to every material in a large-sized facility being considered RACM. For example, if a facility does not have an asbestos inspection and it burns down, all material may be treated as RACM. This greenhouse gas assessment was calculated using an estimate from the demolition and removal of a 70,000 ft^2 facility. The amount of equipment and heavy machinery needed may vary greatly depending on the type of asbestos project. Equipment needed for large-scale asbestos projects may consist of generators, excavators, bulldozers, skid steers, trucks for hauling, and roll-off containers. Smaller asbestos projects may need equipment such as generators, roll-off containers, and trucks.

For transport and disposal, equipment may consist of roll-off containers and trucks used for hauling the containers. Issuance of an Asbestos Project Permit would authorize use of various equipment and vehicles to conduct asbestos projects and transport and dispose of asbestos-containing waste.

The analysis area for this resource is limited to the activities regulated by the issuance of Asbestos Project Permits at specific facilities. The amount of diesel and gasoline fuel utilized at these sites may be impacted by a number of factors including the size and type of project, seasonal weather impediments, and equipment malfunctions. To account for these factors DEQ has calculated the range of emissions using a factor of +/- 10%.

For the purpose of this analysis, DEQ has defined greenhouse gas emissions as the following gas species: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and many species of fluorinated compounds. The range of fluorinated compounds includes numerous chemicals which are used in many household and industrial products. Other pollutants can have some properties that also are similar to those mentioned above, but the EPA has clearly identified the species above as the primary GHGs. Water vapor is also technically a greenhouse gas, but its properties are controlled by the temperature and pressure within the atmosphere, and it is not considered an anthropogenic species.

The combustion of diesel fuel at the site would release GHGs primarily being CO_2, N_2O, and much smaller concentrations of uncombusted fuel components including CH_4 and other volatile organic compounds (VOCs).

DEQ has calculated GHG emissions using the EPA Simplified GHG Calculator version April 2024, for the purpose of totaling GHG emissions. This tool totals CO_2, N_2O, and CH_4 and reports the total as CO_2 equivalent (CO_2e) in metric tons CO_2e. The calculations in this tool are widely accepted to represent reliable calculation approaches for developing a GHG inventory. DEQ has determined EPA's Scope 1 GHG impacts as defined in the Inventory Guidance for Greenhouse Gas Emissions are appropriate under MEPA for this Proposed Action. Scope 1 emissions are defined as direct GHG emissions that occur from sources that are controlled or owned by the organization (EPA Center for Corporate Climate Leadership). DEQ's review of Scope 1 emissions is consistent with the agency not evaluating downstream effects of other types of impacts.

This review does not include an assessment of GHG impacts in quantitative economic terms, otherwise known as evaluating the social cost of carbon. DEQ instead calculates potential GHG emissions and provides a narrative description of GHG impacts. This approach is consistent with Montana Supreme Court caselaw and the agency's discussion of other impacts in this EA. *See Belk v. Mont. DEQ*, 2022 MT 38, ¶ 29.

Direct Impacts

DEQ estimates that between approximately 1350 and 1650 gallons of fuel would be utilized per 10,000 square feet of an asbestos project. To account for variability due to the factors described above, DEQ has calculated the range of emissions using a factor of +/- 10% of the estimate. Using the EPA's simplified GHG Emissions Calculator, between 12500 and 15300 kilograms of CO_2e would be produced per 10,000 square feet.

Secondary Impacts

GHG emissions contribute to changes in atmospheric radiative forcing, resulting in climate change impacts. GHGs act to contain solar energy loss by trapping longer wave radiation emitted from the Earth's surface and act as a positive radiative forcing component (BLM 2021).

Per EPA's website "Climate Change Indicators", the lifetime of carbon dioxide cannot be represented with a single value because the gas is not destroyed over time. The gas instead moves between air, ocean, and land mediums with atmospheric carbon dioxide remaining in the atmosphere for thousands of years, due in part to the very slow process by which carbon is transferred to ocean sediments. Methane remains in the atmosphere for approximately 12 years. Nitrous oxide has the potential to remain in the atmosphere for about 109 years (EPA, Climate Change Indictors). The impacts of climate change throughout Montana include changes in flooding and drought, rising temperatures, and the spread of invasive species (BLM 2021).

Cumulative Impacts

Montana recently used the EPA State Inventory Tool (SIT) to develop a greenhouse gas inventory in conjunction with preparation of a possible grant application for the Community Planning Reduction Grant (CPRG) program. This tool was developed by EPA to help states develop their own greenhouse gas inventories, and this relies upon data already collected by the federal government through various agencies. The inventory specifically deals with carbon dioxide, methane, and nitrous oxide and reports the total as CO_2e. The SIT consists of eleven Excel based modules with pre-populated data that can be used with default settings or in some cases, allows states to input their own data when the state believes their own data provides a higher level of quality and accuracy. Once each of the eleven modules is filled out, the data from each module is exported into a final "synthesis" module which summarizes all of the data into a single file. Within the synthesis file, several worksheets display the output data in a number of formats such as GHG emissions by sector and GHG emissions by type of greenhouse gas.

DEQ has determined the use of the default data provides a reasonable representation of the greenhouse gas inventory for the various sectors of the state, and the estimated total annual greenhouse gas inventory by year. The SIT data from EPA is currently only updated through the year 2021, as it takes several years to validate and make new data available within revised modules. DEQ maintains a copy of the output results of the SIT.

DEQ has determined that the use of the default data provides a reasonable representation of the GHG inventory for all of the state sectors, and an estimated total annual GHG inventory by year. At present, Montana accounts for 47.77 million metric tons of CO_2e based on the EPA SIT for the year 2021. Every 10000 ft^2 of impacted material of an asbestos project may contribute up to 15.3 metric tons of CO2e. The estimated emissions of 15.3 metric tons of CO2e from asbestos projects impacting 10000 ft^2 would contribute 0.000032% of Montana's annual CO2e emissions.

GHG emissions that would be emitted as a result of the proposed activities would add to GHG emissions from other sources. The No Action Alternative would contribute less than the Proposed Action Alternative of GHG emissions. The current land use of the area is a facility.

3. DESCRIPTION OF ALTERNATIVES

3.1 ADDITIONAL ALTERNATIVES CONSIDERED

No Action Alternative: In addition to the proposed action, DEQ must also consider a "no action" alternative. The "no action" alternative would deny DEQ the ability to issue Asbestos Project Permits. DEQ would lack the authority to conduct the proposed activity. Any potential impacts that would result from the proposed action would not occur. The no action alternative forms the baseline from which the impacts of the proposed action can be measured.

If the applicant demonstrates compliance with all applicable rules and regulations required for approval, the "no action" alternative would not be reasonable.

Other Reasonable Alternative(s): A Reasonable Alternative to a proposed action could be introduced whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternative would be implemented (ARM 17.4.609 (3)). A reasonable alternative would have to meet the same Purpose and Need as the Proposed Action and would incur the same impacts as the Proposed Action.

3.2 CONSULTATION

No substantive issues and/or concerns related to the proposed actions were identified. DEQ consulted with regulations, databases, guidance documents, and with general communication from OSHA, EPA, Montana Natural Heritage Program, MFWP, National Park Service, Bureau of Land Management, SHPO, and Dick Anderson Construction.

Applicants may be required to apply for additional permits or approvals from their respective local authorities, however there is no coordination with the Asbestos Project Permit issued by DEQ. Applicants are responsible for following their local guidelines for any additional permits or approvals needed.

DEQ is not the governing authority on any asbestos projects on Tribal Lands.

3.3 NEED FOR FURTHER ANALYSIS AND SIGNIFICANCE OF POTENTIAL IMPACTS

When determining whether the preparation of an environmental impact statement is needed, DEQ is required to consider the seven significance criteria set forth in ARM 17.4.608, which are as follows:

- The severity, duration, geographic extent, and frequency of the occurrence of the impact;
- The probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur;
- Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts – identify the parameters of the proposed action;
- The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values;
- The importance to the state and to society of each environmental resource or value that would be affected;
- Any precedent that would be set as a result of an impact of the proposed action that would commit the department to future actions with significant impacts or a decision in principle about such future actions; and
- Potential conflict with local, state, or federal laws, requirements, or formal plans.

4. CONCLUSIONS AND FINDINGS

The severity, duration, geographic extent, and frequency of the occurrence of the direct, secondary, and cumulative impacts associated with the proposed action would incur negligible to minor impacts to the natural and human environment. The impacts are anticipated to have short-term duration during the Asbestos Project Permit.

The removal, encapsulation, or enclosure of RACM eliminates the possibility of exposure and, therefore, should positively impact public health.

DEQ has not identified any significant impacts associated with the proposed action for any environmental resources. A decision of the appropriate level of environmental review is made based on a case-specific consideration of the criteria, set forth in ARM 17.4.608.

DEQ does not believe the proposed action has any growth-inducing or growth-inhibiting aspects. The proposed action does not conflict with any local, state, or federal laws, requirements, or formal plans. Based on a consideration of the criteria set forth in ARM 17.4.608, the proposed action is not predicted to significantly impact the quality of the human environment. Therefore, preparation of an EA is determined to be the appropriate level of environmental review under MEPA.

5. PUBLIC INVOLVEMENT

The public, including interested citizens, DEQ, EPA, and other government agencies were provided thirty days (30) days to review and comment on the EA. The comment period extended from June 24, 2025 through July 28, 2025. The Final EA and associated documents are available for review on DEQ's website at https://deq.mt.gov/public/mepa. They may also be reviewed during business hours at:

Location Information	*Review Hours*
Montana Department of Environmental Quality Waste Management Bureau 1225 Cedar Street Helena, Montana (406) 444-5300	Monday through Friday 8:00 am – 5:00 pm

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6. REFERENCES

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II. COMMENT SUMMARY AND RESPONSES TO SUBSTANTIVE COMMENTS

DEQ received one comment on June 25, 2025. The commenter was concerned the EA's references regarding water quality might be indicating a change in management of special wastes.

DEQ's response to the comment is found below.

> The EA should not be used as a replacement to rules, regulations, or guidance received from DEQ. The aim of the EA is to assess a host of impacts that asbestos projects may have on the environment and not to alter existing industry practices. Please continue to follow current regulations.
>
> The Administrative Rules of Montana (ARM) 17.50.1115 establishes "asbestos-contaminated material" as a special waste. Special wastes must be managed following the plan in ARM 17.50.509.